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UZBEKISTAN: More jailings, long-term prisoners' sentences increased

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

Bakhtiyor Khudaiberdiyev jailed for 6 years for Islamic texts on his phone. Muslim Zulhumor Hamdamova's prison term has been extended by 3 years and her sister Mehrinisso will be tried on unknown new charges. But Baptist Tohar Haydarov freed and Muslim Vohidjon Niyazov deported.

Bakhtiyor Khudaiberdiyev, a Russian citizen who is ethnically Uzbek, was in August sentenced to 6 years in jail. The National Security Service (NSS) Secret Police had arrested him in January at Tashkent Airport for having suras [verses] from the Koran and other material on his mobile phone.

In August 55-year-old Muslim Zulhumor Hamdamova, who was jailed for exercising her freedom of religion and belief and was due to be released in May, had her prison term extended by three years for alleged violation of prison rules. Her 46-year-old sister and fellow prisoner of conscience for exercising freedom of religion and belief Mehrinisso Hamdamova was due to be released on 5 November, but has been moved to a different prison and was due to be tried on unknown charges on 12 November. The authorities have refused to give the family more information. Both sisters were jailed in 2010 after a raid on their home, where they were accused of holding illegal religious meetings.

But Baptist prisoner of conscience Tohar Haydarov has been released from prison on parole, after having served six years 10 months of his prison term. And Muslim Vohidjon Niyazov has been released after 102 days' NSS secret police detention. He was arrested at Tashkent Airport on 28 July for allegedly having "illegal" religious materials on his mobile phone.

Muslim Russian citizen jailed for 6 years for Koran on phone

Bakhtiyor Khudaiberdiyev, a Russian citizen who is ethnically Uzbek, was tried in August by a court in the capital Tashkent and given 6 years in prison, relatives who asked not to be named for fear of state reprisals told Forum 18 on 15 November.

Khudaiberdiyev was arrested by the National Security Service (NSS) Secret Police on 9 January at Tashkent Airport for having suras [verses] from the Koran and other material on his phone. He was subsequently charged under Criminal Code Articles Article 244-2 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations") and 159 ("Attempts to change the Constitutional order") (see F18News 7 April 2016 http://www.forum18.org/archive.php?article_id=2165).

Muslim cousins 30-year old Jonibek Turdiboyev and 29-year old Mansurkhon Akhmedov were in May jailed for five years each on the same charges. The cousins were tortured and state "experts" claimed to have found a sermon on a CD on the Islamic Caliphate. Both prisoners of conscience insist that the CD only contained music, was bought as a music CD, and they have no knowledge of anything else on it (see F18News 24 June 2016 http://www.forum18.org/archive.php?article_id=2191).

At least two Muslims - 40-year-old Zuboyd Mirzorakhimov and 29-year-old Zoirjon Mirzayev - are serving five-year prison terms for having the Koran and sermons in their mobile phones. A Baptist from neighbouring Kazakhstan was held for two days at Tashkent Regional Customs Department in mid-March for carrying religious materials on electronic devices and was threatened with administrative charges (see F18News 21 March 2016 http://www.forum18.org/archive.php?article_id=2160). However, officials confined themselves to a warning and, on departure, his passport was stamped "deported".

NSS secret police kept Khudaiberdiyev in detention for eight months illegally, his relatives complained to Forum 18. They fear that he was tortured while in detention, and do not know where he was transferred after his trial.

Phones at the NSS secret police headquarters in Tashkent went unanswered when Forum 18 rang on 17 November.

Female Muslim prisoners of consciences' jail terms extended

In August 55-year-old Zulhumor Hamdamova, who was jailed for exercising her freedom of religion and belief and was due to be released in May, had her prison term extended by three years for alleged violation of prison rules, relatives who wish to remain anonymous for fear of state reprisals told Forum 18 on 16 November. "We don't know the exact charges brought against her," the relative stated. Her prison address is:

Uzbekistan

Tashkent Region

Zangiota tumani

Uchr. 64/1

Hamdamova Zulhumor Imomovna

Prison authorities told a relative that her 46-year-old sister and fellow prisoner of conscience for exercising freedom of religion and belief Mehrinisso Hamdamova had been taken to a different prison and will be tried on unknown charges on 12 November. "We hope she will not be given another prison term," relatives told Forum 18. Mehrinisso Hamdamova was due to be released from prison on 5 November.

Prison authorities have told relatives that they will be notified in writing by the end of November of the outcome of the trial.

The Hamdamova sisters and many family members were arrested for holding unauthorised religious meetings by 12 officials from the NSS secret police and the ordinary police. The arrests happened following a 6 am raid on their home on 5 November 2009 (see F18News 18 November 2009 http://www.forum18.org/Archive.php?article_id=1376). In April 2010 Mehrinisso received a seven-year prison term and Zulhumor a six and a half year prison term (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436).

Both sisters have been held in the same labour camp in Tashkent Region, where their health has long caused concern (see F18News 24 March 2014 http://www.forum18.org/archive.php?article_id=1941).

Nuriddin Kamolov, Assistant to Abdukarim Shodiyev who is Head of the Interior Ministry's Chief Directorate for the Enforcement of Punishments which is responsible for prisons, refused to discuss questions relating to prisoners of conscience jailed for exercising freedom of religion and belief on 17 November. He also refused to put Forum 18 through to any other Interior Ministry officials.

Many jailed for exercising freedom of religion and belief

Other prisoners of conscience jailed for long periods for exercising freedom of religion and belief include Muslim Khayrullo Tursunov. He has been serving a 16-year jail term from June 2013 and was also deliberately exposed to the potentially fatal disease of TB (see F18News 5 November 2013 http://www.forum18.org/archive.php?article_id=1893). Tursunov's relatives thought this was an attempt to kill him and he was moved to another prison in December 2013 (see F18News 18 February 2014 http://www.forum18.org/archive.php?article_id=1930).

Uzbekistan also jails prisoners of conscience for short periods for exercising freedom of religion and belief, such as Latipzhon Mamazhanov, a Protestant who was arrested and jailed on 12 March for 15 days. Like many prisoners of conscience, Mamazhanov was tortured by the authorities while in jail (see F18News 13 April 2016 http://www.forum18.org/archive.php?article_id=2167).

The United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners, known as the Mandela Rules (A/C.3/70/L.3), require governments to respect the freedom of religion and belief and other human rights of prisoners (see http://www.un.org/ga/search/view_doc.asp?symbol=A/C.3/70/L.3). Uzbekistan routinely ignores the Mandela Rules, for example in the cases of prisoners of conscience Tursunov, Mirzorakhimov, and Haydarov (see eg. F18News 17 February 2016 http://www.forum18.org/archive.php?article_id=2149).

Such violations of prisoners' human rights continue, for example in the cases of prisoners of conscience Haydarov, Tursunov, and Mehrinisso and Zulhumor Hamdamova (see F18News 13 December 2016 http://www.forum18.org/archive.php?article_id=2238).

Released after almost 7 years in prison

Prisoner of conscience Tohar Haydarov was released from prison on parole on 8 November - two weeks after his 34th birthday - and returned to his home in Gulistan, Council of Churches Baptists told Forum 18 on 14 November. He had already served six years 10 months of his prison term. He was sentenced in March 2010 on alleged drugs charges, which his fellow church members insist were fabricated. Appeals against the conviction and sentence to the Supreme Court were rejected (see F18News 2 August 2011

http://www.forum18.org/archive.php?article_id=1600).

"God heard the prayers of many Christians," his fellow Baptists told Forum 18. "We are thankful to everybody who prayed for him and sent letters to him while in prison."

Why the amnesty?

Baptist Gleb Serin told Forum 18 on 16 November that "Tohar was amnestied for his good behaviour, and because he had already served more than half of his prison term". Gleb Serin's brother Andrey Serin commented on 15 November that "Tohar was released quietly, which came as a surprise to him and us, and no one was there to meet him outside the prison when he was released."

Andrey Serin noted that it is as yet unknown what conditions are being imposed on Haydarov's release as this has not yet been stated in his new internal passport. "But he was told verbally when he was released that he should not get into trouble and return to prison," Serin added. "We will wait and see after he gets his passport."

Council of Churches Baptists told Forum 18 that the "attitude to Christians in Uzbekistan is as before. Therefore it is possible that Tohar will encounter problems. We continue praying for Tohar."

Released after 102 days in prison

Vohidjon Niyazov, a 27 year-old Kazakh citizen who is ethnically Uzbek, was arrested in Tashkent on 28 July for allegedly having "illegal" religious materials on his mobile phone. Niyazov was stopped by customs officials at Tashkent's International Airport, and arrested by the NSS secret police. He was in transit to Kazakhstan from South Korea where he was working.

"Vohidjon was not allowed to make a phone call to let his family know about the arrest", Niyazov's father Nematjon Niyazov told Forum 18 on 15 November. "He had a beard, which may have attracted the attention of customs officials. They stopped him and took him to a separate room. After they searched his mobile phone, he was told that there were illegal sermons on the phone."

Zafar Sanginov of Tashkent International Airport Customs Department told Forum 18 on 17 November that "we fulfil our duty based on the Religion Law and other laws". He added that "we only stop people and send their religious materials to the Religious Affairs Committee and other organs for analysis. They then decide whether those texts are illegal."

The government's Religious Affairs Committee Press Secretary, Shovkat Khamdamov, refused to discuss with Forum 18 on 17 November the amnesties or any other questions relating to prisoners jailed for exercising freedom of religion and belief. No other Religious Affairs Committee officials answered their phone on 17 November.

Taken to NSS secret police detention centre

The same day he was arrested, Niyazov was taken to an NSS secret police detention centre. "We only found out about his arrest 10 days later," his father said. "We were expecting him home, but didn't know exactly when he would arrive." Niyazov's father then called the Uzbek authorities, Kazakhstan's Embassy in Uzbekistan, and hired a lawyer. "Only after this did the Uzbek authorities admit that they had arrested him."

Niyazov said that his son was taken out of the cell every day for one hour of exercise. "He was not physically tortured but was threatened to try to get him to admit that he was guilty of violating the law." His son was held in a prison cell with up to six other people, but was "fed normally".

After 102 days of detention by the NSS secret police he was released under amnesty on 8 November. He had been detained under Criminal Code Article 246, Part 1. This punishes: "Smuggling – that is carriage through the customs border of Uzbekistan, without the knowledge of or with concealment from customs control, using false documentation or means of customs identification, as well as coupled with non-declaration or with declaration under false name of virulent, poisonous, toxic, radioactive, explosive substances, explosive assemblies, armaments, firearms, or ammunition, as well as narcotic or psychotropic substances, or materials that promote religious extremism, separatism, and fundamentalism". Punishment is a prison sentence of between five and 10 years.

Niyazov told Forum 18 that "my son committed nothing illegal", and that the authorities "found nothing illegal on him". He was amnestied on the occasion of the 12 October Constitution Day public holiday. "We did not apply for amnesty, because my son did not commit anything criminal," Niyazov told Forum 18. "He told us that prosecutors asked for the amnesty."

Deported

On 8 November Niyazov's father was invited to Tashkent's Sergeli District Police Passport Registration Division to collect his son. A police officer then took them to the border with Kazakhstan and a deported stamp was put in Niyazov's passport.

Sergeli Police Passport Registration Division's phones went answered on 16 or 17 November.

Niyazov told Forum 18 that the family are not going to ask for compensation from Uzbekistan. "You know the Uzbek government and the system there. I do not think we will be granted anything and we do not want to get in trouble. We are just very happy that our son is back with us." (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338.

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1862.

Full reports on freedom of thought, conscience and belief in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments is at http://www.forum18.org/Archive.php?article_id=1351.

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